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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**Applicant:** Nancy A. Noble et al.

**Serial No.:** 09/869,820

**Filed:** July 5, 2001

**Docket:** 30434.4USWO

**Title:** METHODS FOR TREATING CONDITIONS ASSOCIATED WITH THE  
ACCUMULATION OF EXCESS EXTRACELLULAR MATRIX

CERTIFICATE UNDER 37 CFR 1.8

I hereby certify that this paper or fee is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 12, 2003.

By:   
Name: Tracy Truick

55 South Lake Avenue, Ste. 710  
Pasadena, California 91101  
December 12, 2003

MAIL STOP: Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

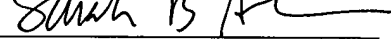
We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.8.
- ☒ Communication For A Petition For Correction Of Inventorship Under 37C.F.R. §1.48(b)
- ☒ Exhibit 1- Petition For Correction Of Inventorship Under 37 C.F.R. §1.48(b)
- ☒ A check in the amount of \$130.00 to cover the filing fee.
- ☒ Return postcard

Please charge any additional fees or credit overpayment to Deposit Account No. 50-0306. A duplicate of this sheet is enclosed.

**MANDEL & ADRIANO**

55 South Lake Avenue, Suite 710  
Pasadena, California 91101  
(626) 395-7801

By:   
Name: Sarah B. Adriano  
Reg. No.: 34,470  
Customer No. 26,941

VERB: 01/02 EXCELLEY 00000006 09869820

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130.00 EP

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Applicants : Nancy Noble, et al.

Technology Center 2600

Serial No : 09/869,820

Examiner:

Sean McGarry

Filed : July 5, 2001

Group Art Unit:

1635

For : METHODS FOR TREATING CONDITIONS ASSOCIATED  
WITH THE ACCUMULATION OF EXCESS  
EXTRACELLULAR MATRIX

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Madam/Sir:

**COMMUNICATION FOR A PETITION FOR  
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.48(b)**

This communication is being submitted concurrently with a Petition for Correction of Inventorship of the pending claims in the subject application under 37 C.F.R. §1.48(b).

The correction of inventorship is necessitated by Applicants' election of claims in response to a restriction requirement. To date, none of the pending claims are allowed.

There is no due date for submission of this communication or the Petition under 37 C.F.R. §1.48(b). Applicants attach a check for the amount of \$130 to cover the fee for filing the Petition. Accordingly, this Petition is being timely filed.

In accordance with the requirements of 37 C.F.R. §1.48(b), Applicants provide the following:

1. Petition for Correction of Inventorship under 37 C.F.R. §1.48(b) signed by a registered attorney acting in a representative capacity in compliance with 37 C.F.R. §1.33(b) (attached herein as Exhibit 1); and
2. A check in the amount of \$130.00 to cover the fee under 37 C.F.R. §1.17(i).

The correct inventors were properly named in the subject application for the originally filed claims 1-55, including: Nancy A. Noble; Wayne A. Border; and Daniel A. Lawrence.

On March 26, 2003, Applicants filed a response to a restriction requirement electing the claims of Group I which include claims 1-32 and 55. In a subsequent Office Action issued by the U.S. Patent and Trademark Office, dated June 4, 2003, the Patent Office withdrew from consideration claims 5, 7, 8, 14, 24, 27-29 and 50-54. On September 4, 2003, Applicants filed a response to the June 4 Office Action, canceling claims 3, 21 and 25. Accordingly, claims 1, 2, 4, 6, 9-13, 15-20, 22, 23, 26, 30-34 and 55, are pending and being examined.

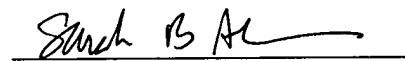
Dr. Daniel A. Lawrence is not an inventor of pending claims 1, 2, 4, 6, 9-13, 15-20, 22, 23, 26, 30-34 and 55. The proper and correct inventors in view of the pending claims are now: Nancy A. Noble and Wayne A. Border. Please change the inventorship accordingly.

Applicants: Nancy Noble, et al.  
U.S. Serial No. 09/869,820  
Filed: July 5, 2001  
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Less than all of the originally named inventors are the actual inventors in the invention being claimed. Accordingly, Applicants provide a petition (annexed herein as Exhibit 1) identifying the inventor who is being deleted and acknowledging that the inventors' invention is no longer being claimed in the application.

No fees, other than the fee under 37 C.F.R. §1.48(b) (e.g., \$130 for 1.17(i)) is deemed necessary in connection with the filing of this Petition. If any other fee is necessary, the Patent Office is authorized to charge any additional fee to Deposit Account No. 50-0306.

Respectfully submitted,



Sarah B. Adriano  
Registration No. 34,470  
SaraLynn Mandel  
Registration No. 31,853  
Attorneys for Applicants  
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55 So. Lake Avenue, Suite 710  
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# EXHIBIT 1

U.S. Serial No. 09/869,820

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants** : Nancy A. Noble, et al.  
**Serial No** : 09/869,820 **Examiner:** Sean McGarry  
**Filed** : July 13, 2001 **Group Art Unit:** 1635  
**For** : METHODS FOR TREATING CONDITIONS ASSOCIATED  
WITH THE ACCUMULATION OF EXCESS  
EXTRACELLULAR MATRIX

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Madam/Sir:

**PETITION FOR CORRECTION OF INVENTORSHIP  
UNDER 37 C.F.R. §1.48(b)**

Applicants submit this Petition to request correction of inventorship for the subject application under 37 C.F.R. §1.48(b) in view of the pending claims.

The correct inventors were properly named in the subject application as originally filed. As originally filed, there was no error in including Nancy A. Noble, Wayne A. Border, and Daniel A. Lawrence in the inventorship of the subject application. During prosecution, claims were elected and withdrawn, thereby requiring deletion of an inventor under 37 C.F.R. §1.48(b).

Applicant: Nancy A. Noble, et al.  
U.S. Serial No. 09/869,820  
Filed: July 5, 2001  
Page: 2

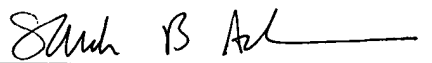
The subject application was originally filed with claims 1-55. On March 26, 2003, Applicants filed a response to a requirement for restriction electing the Group I containing claims 1-32 and 55. In a subsequent Office Action issued by the U.S. Patent and Trademark Office, dated June 4, 2003, the Patent Office withdrew from consideration claims 5, 7, 8, 14, 24, 27-29 and 50-54. On September 4, 2003, Applicants filed a response to the June 4 Office Action, canceling claims 3, 21 and 25.

Presently, claims 1, 2, 4, 6, 9-13, 15-20, 22, 23, 26, 30-34 and 55 are pending and being examined.

Daniel A. Lawrence is not an inventor of pending claims 1, 2, 4, 6, 9-13, 15-20, 22, 23, 26, 30-34 and 55. Therefore, Applicants respectfully request that Daniel A. Lawrence be removed as an inventor of the claims in the subject application.

In accordance with 37 C.F.R. §1.48(b), Applicants provide a check in the amount of \$130.00 under 37 C.F.R. §1.17(i). No fee, other than the fee under 37 C.F.R. §1.17(i), is deemed necessary in connection with the filing of this Petition. If any fee is necessary, the Patent Office is authorized to charge any additional fee to Deposit Account No. 50-0306.

Respectfully submitted,

By: 

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